

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

IN RE

PAUL SCHNEIDER,

Debtor(s).

MOTION TO DISMISS FOR FAILURE
TO MAKE PLAN PAYMENTS

Case No. 19-10724 B

Julie Philippi, Chapter 13 Trustee, respectfully moves the Court for the dismissal of the above captioned case pursuant to 11 U.S.C. § 1307(c)(1) for unreasonable delay that is prejudicial to creditors and 11 U.S.C. § 1307(c)(6) for material default by the Debtor with respect to a term of the confirmed plan.

Debtor's Chapter 13 Plan was confirmed on or about June 04, 2019. Pursuant to that plan, Debtor was to make monthly payments of \$600. Debtor has failed to make the regular monthly payments to the Trustee as required by the Order Confirming Plan. The Trustee has not received a payment since March 16, 2020. Debtor's plan is approximately \$3,200 delinquent. Debtor's failure to make regular payments is a material default in a confirmed plan.

The Trustee submits that cause exists to dismiss this case.

Wherefore, the Trustee respectfully requests that the Court:

1. Dismiss the above captioned case for the reasons set forth above; and
2. Grant any other relief as the Court deems fair and just.

Dated: September 28, 2020

/s/Julie Philippi
JULIE PHILIPPI
CHAPTER 13 TRUSTEE